PATENT 4924-0107PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Yoshihiro OHTSUKA

Conf.:

9695

Appl. No.:

10/520,120

Group:

1714

Filed:

January 3, 2005

Examiner: UNASSIGNED

For:

THERMOPLASTIC POLYESTER RESIN

COMPOSITION EXCELLENT IN PROCESSING

STABILITY AND MOLDED ARTICLES THEREOF

INFORMATION DISCLOSURE STATEMENT (SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 April 4, 2005

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION I.

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

COPIES (check at least one box) II.

- and patent Copies of cited U.S. patents application publications are not included. Copies 冈 a. of foreign patent documents and non-patent literature are included.
- Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in b. the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

a. \square DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information listed on the attached PTO 1449 are in the English language and therefore, do not require a statement of relevancy.

b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

follows: An English Abstract of JP 2001-342330 is attached.

C. ENGLISH LANGUAGE SEARCH REPORT

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. M OTHER

The following additional information is provided for the Examiner's consideration.

The following comments are provided concerning two previously cited documents.

EP 1120432 A1 (corresponding to JP 2001 342330A) discloses subject matter as described below.

In the case of preparing a polyester block copolymer by allowing to react a crystalline aromatic polyester with lactones, 0.1-5.0 parts by weight of at least one epoxy compound having at least one epoxy group is mixed with 100 parts by weight of the polyester block copolymer to prepare a resin composition. The resin composition contains lactone chains.

As the epoxy compound having at least one epoxy group, an epoxy compound having lactone chains are mentioned at, for example, column 7 (lines 37-49) in the JP. The column 7 (lines 37-49) is pointed by the Search Division.

Appl. No. 10/520,120

On the other hand, in a resin composition of the present invention (claim 1), a thermoplastic polyester resin is mixed (formulated) with an epoxy compound having lactone chains.

In the resin composition, the thermoplastic polyester resin does not contain lactones. The thermoplastic polyester resin includes a polyethylene terephthalate, a poly (1,4-butylene terephthalate), a poly(1,4-cyclohexanedimethanol terephthalate), etc., and a mixture therof.

That is, the resin composition of the present invention (claim 1) is different from the resin composition in the JP (EP).

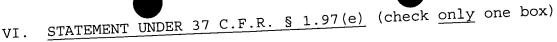
Even a skilled person cannot expect the resin composition of the present invention (claim 1) from the resin composition in the JP (EP) in which a resin composition containing a resin having a chemical structure is mentioned.

The disclosure of JP 2002-194184A completely corresponds to the present US application No. (10/520,120). Because the present US application is filed based on PCT/JP2002/006792 (WO 2004/005399 A1) having international filing date of July 4, 2002, JP 2002-194184 A, which published on July 10, 2002, is not prior art to the present application.

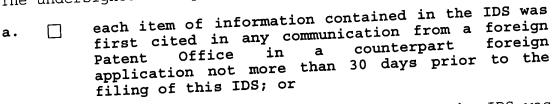
FEES

IV.	\boxtimes	THIS	IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):					
	a.	Cnec	within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's.)					
	b.		within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.					
	c.		concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.					
	d.		before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS merits has been made, charge our deposit account in the amount of \$1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).					
V.		(a)	IS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c): neck one box)					
before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).								
	a.	_	No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).					
	b.	. 🗆	See the statement below. No fee is required.					

Appl. No. 10/520,120



The undersigned hereby states that



- b.

 each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- c.

 no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- Some of the items of information were cited in a communication from a foreign Patent Office. As to d. this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign counterpart Office in a application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box) A check in the amount of C.F.R. § 1.17(p) is enclosed.

]	A check	 § 1.	the 17 (p)	amount is er	of nclos	\$180. ed for	00 as	required above-ider	by ntif:	37 ied
	Lec.									

- Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. This paper is submitted in triplicate.
- No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

(703) 205-8000

BIRCH, STEWART, KOLASCH & BIRCH, LLP

GMM/KJR/lc 4924-0107PUS1

Attachment(s): X PTO-1449

□ Documents

] Foreign Search Report

☐ Fee

Other:

APR 0 4 2005

Form PTO-1449

INFORMATION DISCLOSURE CITATION

ATTY. DOCKET N 4924-0107FUS1 APPLICATION NO. 10/520,120

APPLICANT

Yoshihiro OHTSUKA

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DOCUMENT NUMBER Kind	.S. PATENT D		CLASS	SUB	FILING 1	DATI
l i	DATE	NAME	CLASS	CLASS	IF APPROP	PRI#
US 4,141,882	1979-02-27	KODAMA				
US 3,886,104	1975-05-27	BORMAN				
US 4,795,771	1989-01-03	YOSHIHARA				_
US 4,533,679	1985-08-06	RAWLINGS				_
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US 4,933,429	1990-06-12	MCCRAKEN				
US 4,246,378	1981-10-20	KOMETANI			ļ	
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US					<u> </u>	_
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US	REIGN PATENT	r DOCUMENTS				
		COUNTRY	CLASS	SUB CLASS	TRANS	LAT
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JP 2001-342330 A	2001-12-14	JAPAN		<u> </u>	ABS	┞
GB 2,098,231 A	1982-11-17	GREAT BRITIAN				╀
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